

Exhibit B

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May 13, 2008

By Hand and Facsimile

Hon. Gerard E. Lynch
United States District Judge
United States Courthouse
500 Pearl Street
Room 910
New York, New York 10007

Re: Judd v. Take-Two Interactive Software, Inc., 07 CV 7932 (GEL)

Dear Judge Lynch:

We represent the Defendant, Take-Two Interactive, Inc., in the above-referenced matter. Earlier today, we received by facsimile from Plaintiff's counsel a copy of a letter sent to you indicating that Plaintiff had filed a Motion to Compel Discovery seeking the production of documents and sanctions and that Defendant had failed to respond to the motion.

Please be advised that neither I nor anyone at my firm received a copy of any such motion—by ECF or otherwise. I am registered for ECF, but did not receive any notice that a motion was filed. I know we are to check the docket periodically, but as we were not expecting any action during discovery, especially without any notice, there was no reason to check. Additionally, because we received Your Honor's Order of April 3, 2008, by e-mail from plaintiff's counsel, we had no reason to believe that we realize that we were not receiving electronic notification from the Court.

As we did not know of this motion until today, we would respectfully request that we be afforded the four days provided by Local Rule 6.1 (*i.e.*, Friday, May 16, 2008) to respond to Plaintiff's motion. Upon receipt of Plaintiff's counsel's facsimile, we contacted Plaintiff's counsel. By voicemail, we advised that we had not received the motion and would be applying to the Court for four days to respond. We received a reply by e-mail (a copy of which is attached). It does not address our application for time to respond to the motion.

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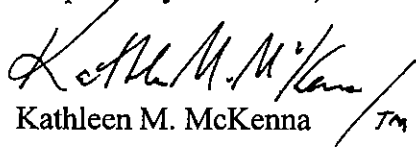
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In addition to the reasons of equity which favor the granting of this request for relief, Defendant would be prejudiced if it cannot respond to this motion seeking, among other things, sanctions. Prompted by Plaintiff's counsel's e-mail, we looked into the ECF situation further. Although I e-filed the answer in this case and my e-mail is listed on the docket, for some reason it appears that I am not receiving ECF notices for defendant in this case. Apparently neither Plaintiff's counsel nor we noticed that I am not listed as "Lead Counsel to Be Noticed" and, thus, am not receiving ECF notices.

I will ensure this does not occur again by contacting the ECF help desk to make sure I begin receiving notices in this case and by having another attorney from my firm file a notice of appearance to receive notices as a measure of redundancy.

We appreciate the Court's attention to this matter.

Respectfully submitted,


Kathleen M. McKenna *TM*

Cc: Gary Trachten, Esq.